REMARKS

I. Status of the Claims

Claims 1-25 have been canceled.

Claims 26-30 stand rejected.

Claims 26-27 and 29-30 have been amended. No new matter has been added.

Claims 26-30 are pending.

II. Objection To The Disclosure

The Examiner has objected to the abstract as not being directed to the claimed subject matter and, further, for appearing to be greater than 150 words. Applicants have amended the Abstract to be in compliance with USPTO practice. Accordingly, Applicants respectfully request that the objection be withdrawn.

III. Rejections Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 26, 27, 29 and 30 under 35 U.S.C. § 103(a) as being unpatentable over the combination of U.S. Patent No. 5,868,948 to Fujii et al. ("Fujii"), U.S. Patent No. 6,207,268 to Kosaka ("Kosaka") and U.S. Patent No. 2,533,140 to Rodriguez ("Rodriguez"). Applicants respectfully traverse the Examiner's rejection.

Applicants respectfully submit that Fujii, Kosaka or Rodriguez, either alone or in combination do not render the claimed invention obvious. In particular, Fujii discloses a method for fabricating a dielectric device beginning with an insulating substrate upon which a metal electrode film is deposited, followed by a dielectric film deposited on the metal electrode film. Fujjii fails to suggest utilizing a mixture of a photosensitive resin and a piezoelectric/electrostrictive ceramic for the piezoelectric/electrostrictive layer. Moreover, Fujii fails to suggest that the upper electrode

layer uses a specific mixture of a photosensitive resin with the metal. Neither Kosaka nor Rodriguez disclose utilizing a mixture of a photosensitive resin and a piezoelectric/electrostrictive ceramic for the piezoelectric/electrostrictive layer or that the upper electrode layer uses a specific mixture of a photosensitive resin with the metal.

The Examiner fails to establish a prima facie case of obviousness as none of the art of record teaches or suggests any motivation to combine the teachings of Fujii with Kosaka or Rodriguez. The mere fact that references might be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of such a combination. *In re Mills*, 916 F.2d 680 (Fed. Cir. 1990). None of the art of record details any motivation to combine the teachings of Fujii with Kosaka or Rodriguez. Accordingly, no prima facie case of obviousness has been established and the rejection should be withdrawn.

The Examiner has rejected claim 29 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Fujii, Kosaka and Rodriguez, and further in view of U.S. Patent No. 5,425,889 to Lubitz et al. ("Lubitz"). Applicants respectfully traverse the Examiner's rejection.

Applicants respectfully submit that as claim 29 depends directly from independent claim 26 it is allowable for at least the same reasons as mentioned above with respect to claim 26. Accordingly, Applicants respectfully request that the above rejection be withdrawn.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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